

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FUND TEXAS CHOICE, et al., §
§
Plaintiffs, §
§
v. § 1:22-CV-859-RP
§
SUSAN R. DESKI, et al., §
§
Defendants. §

SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 16, the Court issues the following scheduling order:

1. The requirements to file a report on alternative dispute resolution in compliance with Local Rule CV-88, to submit a written settlement offer, and to file a notice concerning reference to United States Magistrate Judge are omitted.
2. The parties' deadline to amend or supplement the pleadings or join additional parties is July 15, 2024.
3. All parties asserting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) on or before July 15, 2024. Parties resisting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) on or before August 15, 2024. All parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not already served, 15 days from the receipt of the report of the opposing expert.
4. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 11 days from the receipt of the written report of the expert's proposed testimony, or within 11 days from the completion of the expert's deposition, if a deposition is taken, whichever is later.
5. The parties shall complete all discovery on or before August 30, 2024.

6. All dispositive motions shall be filed on or before September 9, 2024, and shall be limited to 20 pages. Responses shall be filed and served on all other parties not later than 14 days after the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 7 days after the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.
7. The Court will set this case for final pretrial conference at a later time. The final pretrial conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of the final pretrial conference.
8. This case is set for Jury trial commencing at 9:30 a.m. on April 14, 2025. By filing an agreed motion, the parties may request that this Court extend any deadline set in this Order, with the exception of the dispositive motions deadline and the trial date. The Court may impose sanctions under Federal Rule of Civil Procedure 16(f) if the parties do not make timely submissions under this Order

SIGNED on June 28, 2024.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE